

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES MAHONEY,

Plaintiff,

- against -

J. J. WEISER AND COMPANY, INC.,

Defendant.  
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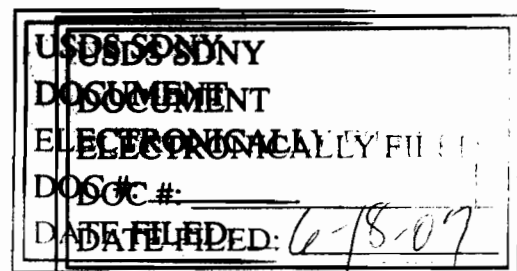
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: 05 Civ. 7117 (VM)  
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ORDER

VICTOR MARRERO, United States District Judge.

By Order dated April 30, 2007, having noted that no correspondence with the Court or other proceedings had been recorded in this action since it was put on suspense on October 18, 2005 pending resolution of the related case, Docket No. 04 Civ. 2592, the Court directed that by May 4, 2007, plaintiff herein clarify the status of this action and indicate whether any further proceedings were contemplated. The Court indicated that in the event no timely response had been made to that Order by the date indicated the Court may direct that the action be dismissed and the case closed. A review of the Docket Sheet for the matter indicates no response to the Court's April 30, 2007 Order. Accordingly, it is hereby

**ORDERED** that the Clerk of Court is directed to dismiss the complaint herein without prejudice and to close this case, provided that within ten (10) days of the date of this Order plaintiff, for good cause shown, may request reinstatement of the action to the Court's active docket. In the event no such timely request is made the case shall be deemed dismissed with prejudice.



SO ORDERED.

Dated: New York, New York  
18 June 2007



VICTOR MARRERO  
U.S.D.J.